## THE NEW OYSTER EXCITEMENT.

#### The Supposed Mammoth Fortune a Fraud and Loss.

Eaton Neck Den unced Twenty Millions of Capital and Thirty . housand Men Involved-Details of the Raid and Return.

To any one knowing aught of New York's weakmess for a delicious oyster, and to the few who know something of the number of milions of dollars and of the thousands of men employed in the oyster severy of a new bed of oyaters of one quality and mexhaustible quantity caused a remarkable excitement among all concerned will not be considered

A few days ago a man well known to many of the oystermen came to one of the city oyster centres with a schooner partially loaded with oysters, which he claimed to have taken from a previously undiscovered ned, which hed he stated was in extent and resources wondrougly large. The oysters were tried by practical professionals, were pronounced fine in flavor and strable in size, and the news soon spread among she many wholesale dealers that a

NEW GYSTER ELDORADO

had been found. The discoverer was visited and questioned, and soon afterward an agreement was made that for the sum of \$500 ne would disclose his secret, and enable all who had sloops at command to add to their stock as they might desire. The terms were deen.ed moderate, and although there was, of a certainty, nothing but the declaration of the man to warrant attention, the money required was subscribed in sums of from ten dollars so one dollar, as the subscribers had the means of aining immediately from the discovery, and the spot was indicated, the happy discoverer agreeing to d the way to the oyster bed, in a very short time more than one hundred oyster boats were under sail, all pointing as directly as the wind would permit to EATON NECK.

the first point off Hempstead Bay, between Smithtown and Huntington Bay, west of the lighthouse. In addition to these nearly all the inhabitants of City Island were at the ground, and at one time there were not less than 250 sloops awaiting indica-tions of where to commence, besides a vasity greater number of smaller boats having each from one to five

men.

This movement was commenced a week ago last Monday, and the news having spread, though secretly made known, the excitement was intense. And when the old gentleman held back from announcing the precise locality on the ground that the water was rough and the small boats would not have an equal chance, the oyster discovery came very near hange an

at length, however, the word was given, and soon afterwards hundreds of oyster loogs were grappling Eaton Neck, where for years before scarcelly a single pair had been seen. And they taked and scraped, and pulled up their tongs. But rake as they might, grapple and pulled up their tongs. But rake as they might, scrape as they might, grapple and pulled up as often as they pleased, never an oyster appeared. This was dishearenthms. But, then, there was the gentleman who had made the discovery; they knew that the oysters he had were oysters, and that, knowingly, he would not tell a he. And yet something of the earlier enthusiasm died away, though they still kept the tongs in active work, and worked until all were tired. Finally, after an extensive area had been thoroughly raked over, and very few oysters obtained, one after another they gave it up, and last evening nearly all had returned and many of them profane. The money that had been contributed as pay for the wonderful discovery was all returned, and the declaration was general that, though mistaken, the discoverer was honestly so. The loss to those who joined in the oyster raid, in time, material, cost for extra help and other expenses, is estimated as Excekding ten thousand dollars.

This is not the first grand oyster excitment to which Eaton Neck has given birth. The dealers declare that something like thirteen years ago there was a similar grand excitement and consequent similar loss.

It appears that, many years ago, Eaton Neck was

was a similar grand excitement and consequent similar loss.

It appears that, many years ago, Eaton Neck was a profitable oystering ground, but that it finally ran out, and has never since been redeemed. It is claimed, however, that, "once in a while," a stray systerman with strike a vein and get up a few that are good, but that there are now enough anywhere in that locality to enable any considerable number of men to work it profitably is no longer believed. The present excitement, however, has awakened discussion among the thousands of oystermen, and they are now filled with the subject, and free with facts in relation to the prospect for the coming season on the various points on

m relation to the prospect for the coming season on the various points on GREAT SOUTH BAY
where for years have been, and now again are gathered hundreds of thousands of bushels. Among these points many of our readers will remember that Blue Point, L. I., was a famous locality, and that the oysters from there were the favorities. Some years ago, however, the value of the oyster caused the South Bay bottom to be overworked. This effected not only the supply, but the reputation of the oysters of the bay, and until quite recently but little of a profit has been realized from oystering there. Two years ngo, however, a new impulse was given to the growing trade, and instead of satisfying themse, we with picking up what they found growing wild they "staked out" localities and commenced planting. This method has been acted upon ever since, and now

This method has been acted upon ever since, and now

WEST OF ELUE POINT AND SAYVILLE

there are hundreds of acres along the beach planted with oysters. The range runs mainly from the points named to West Isilp, and Unamplon's creek, Mill's creek and other streams are teeming with them, though, as yet, they are mostly too small for our market, but promising really wen. The growers on this line are confident that by next year they will have oysters which, both in quantity and quantity, will restore the bay to tay ancient reputation as the favorite bay for New York. The planting aere differs from that of the other Northern localities, in that the seed is taken from the bay itself and stribly planted along the shore line for ease in care and in gathering. In the beds on the

MORTH SIDE OF LONG ISLAND much of the seed that is planted is obtained from Newark bay, and some from the Virginia waters. The estimate of cost for procuring the seed, as the infantile oysters are called, is forty cents per bushel. A bushel will average about 2,000 oysters, varying in size with the nails on the thumbs of the men who plant them. These are, some of them, ready for the market in two years from the time of planting, but in the main they require three years for development, proper fattening and flavor. But of all the neighboring oyster grounds

Phince's BAY

Is still far ahead in the quantity transplanted and produced. The estimate is that more than 100,000 bushels are planted there every year, and that more are taken from it than from nearly all the other beds combined.

The polluts now named, together with the Long leadad sound. Jersey Shore and Virginia, furnish a

are taken from it than from nearly all the other beds combined.

The points now named, together with the Long Island sound. Jersey Shore and Virginia, furnish a trade for, and passing through, New York which amounts each year, depending on the yield and demand, to from \$15,000,000 to \$20,000,000, and giving almost continuous employment to nearly 30,000 men. These figures, without adding the enormous retail trace and its multitude of employés, show why the declaration of a grand new bed, and that near by, should have caused so great an excitement, and its failure to prove, as declared, a bitter disa, pointment to thousands of traders here. They will, however, they say, soon get over it, and, as the prospect is improving everywhere else, they are consident that New York will continue to have all the oysters it wants, without increase of price.

# PARADE OF THE FIFTH BRIGADD.

The Evolutions in Tompkins Square A pretty fair turnout answered the order of General Ward for parade of the Fifth brigade yesterday. The postponment of the parade, however, from last Monday to yesterday, had considerable effect in thinning the ranks. The rainstorm also in the afternoon acted against the display and somewhat dashed the spirits and appearance of those who took up the rigid line of duty in preference to their ease at

up the rigid line of duty in preference to their case at home. The Twenty-second regiment was early on the ground in lorce, under the command of colonel Josiah Porter. The Colonel has

A TOUGH OF THE MARTINET,
and the men under his command show in a marked manner the spirit that prevails in the regiment.

Major hisgrath sits in his new dignity with becoming grace: even his lucephatus seemed to share the honors conierred upon his master by the proud way he carried him. The one defect in the appearance of the regiment, at a distance, is the absence of cross-beits. The fatigue jackets over white trowsers want some enlivening, and for men who man-cuvre so well upon the parade ground it is a pity they should

SUFFER BY COMPARISON
In uniform regularity. The ranks of the Sixty-ninth were very thin, and they rather mixed things in the double time. Their firing, however, was the best in the seld. The Seventy-ninth was also light in point of numbers.

of numbers.

The Twelfth, although they came late upon the ground, worked well, and gave distinct evidence of the soldier-like quanties of the commander, Colonel

Ward.

The First regiment of cavairy was out in spiked heimets. It is astonishing that men cannot leave their weaknesses for lager at home when they come into public view. It undoubtedly mars the warrior look of a fine body of men to see some capering about the field of action with glasses of foaming lager in their hands.

ger in their hands.
The brigade was reviewed by General McQuade.

### DEPARTMENT OF DOCKS.

A Private Company Ask Permission to Erect Ten Fiers.
The Commissioners of Docks had their usual

weekly meeting yesterday, President John F. Agnew in the chair, and Messrs. Henry, Hunt, Wood and Smith being present.
Commissioner Hunt, from the Executive Committee, r ported on the petitions of the Pennsyl-General Eessions.

vanua Coal Company and others for additional wharf facilities for landing coal, recommending that at an early day there be additional facilities afforded to land coal on the North river. Mr. Hunt also reported the completion of the filling in of the bulkhead at East Eighty-sixth street.

The committee reported against dredging the slip at pier 45 North river, as requested by the Philadelpnia Steamship Company, on the ground that the law does not authorize such work.

The committee reported upon the petition of citizens for the dredging of the slips between Thirtyninth and Fortieta streets, and recommended that the owners be ordered to dredge opposite their re-

the owners be ordered to dreage opposite their respective premises, as ordered by the Superintendent. All of the reports were adopted.

Commissioner Wood reported that he and Mr. Smith, on Saturday, examined the encumbrance on the North river below Chambers street, which should be removed. He had a list of hucksters, stores and other muisances where should be suppressed, including two barges belonging to Mr. Stacom, who was compelled to remove his oulding by the board some time ago and in defiance of law had replaced it by barges. He offered a resolution for the removal of all obstructions, huckster shops, lences and sheds a tiwen Chambers street and Battery place and on the buildhead south of pier No. I belove the lat of August. All that part west of Washington Market is excepted for the present, Mr. Hunt desired that the resolution be referred to the Executive Committee. Mr. Henry opposed such proposition, as he was anxious to see the squatters removed. It was referred to the Executive Committee, with power to act at once.

proposition, as he was anknown to see the sinatters removed. It was referred to the Executive Committee, with power to act at once.

Communications were received from residents of Manhattanville asking for more wharf facilities and recommending a new pier at 129th street; from Superintendent Westervelt, respecting the driving of piles by Mr. Webb; from Ezra quimby, asking for please of part of pier on East river; from the Morrisania Steamship Company, for permission to erect passenger house at pier 22 East river and 100 tof East Eighth street; from Patrick McGee, to remove an office on pier 20 East river from one side of the pier to the other; from the New York Pier and Warehouse Company, asking the lease of land under water sindicent to erect ten piers in the North river south of pier No. 1, the company to erect the piers and have a lease for ten years, with the privilege of four renewals; to pay \$8,000 per year for the first ten years, and an increase of \$1,000 per year so long as they lease the property; from F. C. Oakley and others, asking for the dredging of slips between Twenty-eighth and Thirtieth streets, North river. These communica the dredging of slips between Twenty-eighth and Thirtieth streets, North river. These communica

tions were referred to appropriate committees.

Reports were received from the district superintendents showing persistent neglect on the part of some persons to comply with ine orders of the Board, which were referred to the Executive Committee.

steamers were heard regarding the storing of coal at pier 24 East river, the Board naving ordered that coal shall not be stored there. The Commissioners declared that they had no objection to the company taking coal there, but they did not desire that the dock should be made a coal yard, and the company will be permitted to coal as usual at the pier and keep one day's supply on the dock.

### POPULATION OF THE CITY OF BROOKLYN.

	NATIVE OF	UNITED	STATES.	
	States.	White.	Colored.	India
	Alabama	85	4	1.000
	Arkansas	7		
	California	136		
	Connecticut	5,189	75	
J	Delaware	163	29	
ì	Florida	68	7	
ı	Georgia	260	40	
ı	Illinois	297	2	25.05
ı	Indiana	118	î	
ı	lowa	67		
ı	Kansas	15		
ı	Kentucky	152	17	
ı	Louisiana	285	23	
ı	Maine	1,815	3	
ŧ	Maryland	886	200	
i	Massachusetts	5,677	34	
ı	Michigan	189	1	
ı	Minuesota	21		E ZEO
ı	Missouri	148	2	MASSES.
ı	Mississippl	84	2	1.50
ı	Nepraska	4	State of the second	A
ı	New Hampsnire	673	1	
ı	New Jersey	5,776	233	
ı		216,809	2,962	
ı	North Carolina	163	251	
ı	Ohio	901	9	
į	Oregon	i	100000000000000000000000000000000000000	
ì	Pennsylvania	3,147	147	
Ì	Rhode Island	904	12	
3	South Carolina	828	118	
ľ	Tennessee	105	21	
1	Texas	63		
ij	Vermont	800	2	
ı		908	508	
ì	Vest Virginia	7	1	
1	Wisconsin	128	î	
ı	District of Columbia	214	58	
ı	Territories.			
ı	New Mexico	3	_	To sply
ı	Utah			ALC: NO
ŀ	At sea, under United			4
١	States flag			
ı	Not stated	8	5	7500 99
ľ	Mot stated	100		
ı	Total	246,611	4,765	2112
B			THE RESERVE OF THE PARTY OF THE	
ì	FOREIGN			000
ı	Countries.	Sa	cony1,	
ı		15 We	imar	41

	FOREIGN COUNTRIES.		
y	Countries.	Saxony1,080	
à	Africa (n. s.*) 15	Weimar 41	
u	Asia (n. s.*) 10	Wurtemburg2,200	
333	Atlantic Islds. (n.s.*) 50	Germany, (n.	
21	Australia 69	8*)6,218	
h		36,771	
n		Gibraltar 8	
8			
g	Boliemia 91		
0	British America—		
1.	Canada:1,770	Holland 774	
t	N. Brunswick 242	Hungary 70	
n	Newfoundl'd 218	India 23	
0	Nova Scotia. 545	Ireland73,991	
r	Prince Edw'd	Italy 225	
r	ısland 4	Japan 1	
8	Brit. America	Luxembourg 15	
g	(n. 8.*) 27	Madeira 7	
ñ	2,806	Maita 2	
722	Cent'i America, N.S. 2	Mexico 22	
	China 18	New Zealand 2	
m	Cubs 271	Norway 301	
	Denmark 384	Poland 209	
0	England18,848	Portugal 54	
r	France 1,894	Russia 76	
10	Germany-	Sandwich Islands. 3	
n	Baden 3,818	Scotland 4,099	
ie	Bavaria7,162	South America 96	
n	Bremen 234	Spain 227	
e	Brunswick 49	Sweden 1,105	
6.	Hamburg 589	Switzerland 667	
7	Hanover2.263	Turkey 16	
30	Hessen3,625	Wales 539	
	Holstein 9	West Indies, (p. s.*) 456	
a	Lubec 14	At 200	
00	Mecklenburg 120	At sea 27 Not stated 5	
e	Nassau 100	Not stated 5	
e	Oldenburg 107	Total family	
1		Total foreign144,718	
350	Prussla9,142		

# THE FRONT STREET CASUALTY.

A Child Crushed to Death by a Rail Car-The Belt Railroad Company Consured. Coroner Young yesterday investigated the case of Minnte McCarty, the infant, nineteen months old, who was run over in Front street, near Dover, last Sunday evening, as was then supposed, by car 117 of the Belt Railroad Company. Several witnesses of the Belt Railroad Company. Several witnesses were examined, and their testimony was found to be very conflicting. It did not appear, however, that car 117 ran over deceased, and it could not be ascertained by which of the cars she was crushed to death. As to the rate of speed at which some of the cars were going the evidence was also conflicting, and in their verdict the jury censured the Belt Railroad Company for careless driving. Andrew Gallaguer, the driver of car 117, who had been arrested, was discharged by Coroner Young.

# RAILROAD ACCIDENTS IN JERSEY.

The mall train on the Morris and Essex Railroad was passing through the Sergen tunnel yesterday morning, when the locomotive ran off the track and blocked up the passage so that trains could not

blocked up the passage so that trains could not pass either way. The track was not cleared till eleven o'clock. No person was injured.

An accident of a more serious character occurred on the Newark and New York Railroad, in the cut near Bergen avenue, Jersey City. The derrick used for hoisting stone intended for the new bridge being erected there happened to be swung across the track, when a train bound for Newark dashed by. The locomotive lost its headinght and smokestack, and the boom of the derrick came tumbling down, striking three of the workmen. Two of them were minured but slightly, while the third, named Brooks, a resident of Forrest street, had one leg mashed and sustained severe bruises on the head.

Licutenant Newell is or sered to the Congress; Assistant Surgeon Ruth to the Naval Hospital at Philadelphia; Second Assistant Engineer Bates to the Mare Island Navy Yard.

Lieutenant Watts is detached from the Congress; Master Bradbury from the receiving saip Boston and ordered to the receiving ship at Portsmouth, N. H.: First Assistant Engineer Davids from the Mare Island Navy Yard and ordered to examination for promotion; Second Assistant Engineer Partle from the Ossipee and ordered to return to the United States; Second Assistant Engineer Burchard from duty at League Island and ordered. \*\* the Ossipee.

## THE COURTS.

A Custom House Suit-Collision Case-The Eric Railway War-Charge of Receiving Stolen Bonds-Important Decision as to Mechanics' Liens-The Bonard Will Case-Business of the

UNITED STATES CIRCUIT COURT.

The Suit Against the Collector of Customs Before Judge Woodruff. Charles R. Tyng vs. Moses H. Grennell, Collector of the Port.—In this case, already reported in the HERALD, Judge Woodruff has decided that the iron pipes on which plannin claimed an excess of duty had been paid are iron flues, and, therefore, subject to three and a half cents per pound.

# UNITED STATES DISTRICT COURT.

Collision Case. Yesterday Judge Blatchford, in the collision case of The United States vs. The Jersey City Ferry Company, rendered a decision dismissing the libel, with

UNITED STATES COMMISSIONERS' COURT.

Unstamped Cigars. Before Commissioner Davenport.
The United States vs. Julius Strauss & Simon

Strauss.—The defendants carry on business at 376 Canal street, and they are charged with seiling unstamped cigars. They were held yesterday by the Commissioner in \$1,000 ban for examination.

The Eric Railway War. The reference before Mr. Kenneth G. White, the Master, in regard to the Heath and Raphael stock was resumed yesterday. Mr. Southmayd and Mr. Tweed appeared for Heath and Raphael, and Mr. Morgan for the Brie Railway Company.

THE TESTIMONY.

Edward K. Willard, sworn—I am one of the firm of Willard, Martin & Beach, and was such in December and January last; in those months our firm

received Eric Railway stock, the amount I cannot say; I recollect that we received a large amount of shares; my books are nere.

Counsel then put a long question to the witness as to whether he had received 30,000 shares of Eric stock from Mr. Gould in the month of December

stock from Mr. Gould in the month of December last.

Witness said it they were sold it would appear on his books, and that would show that he nad had them; on the 30th of December we delivered 5,600 shares of Erie on account of Jay Gould; I can tell the amount of stock delivered on account of Mr. Gould, but the number of the certificates I cannot tell.

Q. What was done with them? A. We never keep any securities separate; we keep them all together, with other securities, in our box.

Q. Was there not an unusually large number of Erie shares delivered to your firm at that time? A. It was not unusually large to u2; the proceeds of the 5,600 shares delivered on Mr. Gould's account on the 30th of December were credited to Mr. Gould's stock account; we have no special account on ur books for 30,000 shares of Erie stock delivered by Mr. Gould to our firm.

Q. It appears by the evidence of Mr. White, the

for 30,000 shares of Erie stock delivered by Mr. Gould to our firm.

Q. It appears by the evidence of Mr. White, the Assistant Treasurer of the Erie Railway Company, that there was received by the Erie Railway from your firm, on the 30th of December, the sum of \$220,000, and looged it the Tenth National Bark.

A. I think that must have been some cash transaction in Mr. Gould's account, and we merely inraed the money over to them. It may appear in the blotter. The making up and rendering to Mr. Gould an account of 20,000 shares of Erie stock, and of the proceeds of such stock, would not come within my line. The bookkeeper, John S. Seeley, would know, if it was an account that went into the books. It would be impossible to tell when the stock was sold; it may have been mixed up with other stock.

Mr. Willard was examined at considerable length as to dares, figures, entries and amounts in his books respecting the shares in question, and finally Mr. Southmayd agreed to accept a statement, made up from Mr. Willard's books, by his bookkeeper, snowing the names, as far as possible, of the parties to whom the stock was delivered.

The reference was then adjourned to this day.

## SUPREME COURT-CHAMBERS.

Charge of Receiving Stolen Bonds.

Before Judge Cardozo. The charge against Mr. William Lambert of receiving stolen United States bonds, with a guilty knowledge, came up yesterday upon an application made by his counsel, Edwin James & King, to admit him to ball. The accused has been in the Tombs for more than three months upon the charge. It will be remembered that the particulars of the case appeared in the HERALD at the time of ms arrest, and accusations were made against him of dealing in stolen securities to a very large

amount.

At the suggestion of the counsel and the District
Attorney the motion was appointed to be heard before Judge Barnard at half-past nine o'clock this
morning.

# SUPREME COUNT-GENERAL TERM

Duties of Ferry Companies. Before Judges Ingraham and Cardozo.

Wyckoff es. The Queens County Ferry Company .-The plaintiff drove his horse and buggy, containing the horse became restive, the plaintiff called to the priot not to whistie and tried to get out of the carriage. When the horse first started he had quieted him with the whip. As he was getting out the whistle was again blown, the horse started and took the wagon overboard. Plaintiff and his wife were the wagon overboard. Figure and his wife were saved but the hotse and wagon were lost. This action was brought for the value of the horse and wagon, and the jury found for the plaintiff. The defendants appeal, claiming that under the Judge's charge they were held hable as common carriers, and hat as far as carrying horses and wagons they were but common carriers, and were only bound to furnish a boat, and that the plaintiff's property was not at their risk.

not at their risk.

The plaintiff contends that they were common carriers, but, even if not, affirmative negligence which would make any ballee hable was shown, and that they are hable. Decision reserved. The Prize Fighters in Court-Another Adjourn-

ment.
The case of Edwards and Collins, which was to have been argued in the Supreme Court, General Term, yesterday, on a writ of certiorari, reviewing the proceeding under which they were sentenced in the Special Sessions, was again adjourned until Mon-day next, owing to the absence of Justice Barnard from the bench. from the bench.

The fistic champions were in court, and looked none the worse for their sojourn on the Island.

Can the Court Appoint a Receiver in a Proeceding to Buforce a Mechanin's Lien ?-An Important Decision.
Before Judge J. F. Daly.

Christian Meyer vs. Peter Seebald .- In this case a motion was made to the Court for the appointment of a receiver of the rents and profits of the property in controversy on grounds set forth in the following opinion. The motion was opposed by Mr. Jacob A. Gross chiefly on the ground of the want of power in the Court to make any such order in a proceeding under the Lien law, which is, in all essential particulars, unlike an ordinary action. That view has been sustained in the following exhaustive

particulars, unlike an ordinary action. That view has been sustained in the following exhaustive

OFINION.

Christian Meyer and Andrew Schwaris having acquired a lieu under the stechanics' Lieu law (Laws of 1985, chap, 500), and having instituted these proceedings to forecloss such lieu, now applies to the Court for the appointment of a receiver of the runs, issues and profits of the premises covered by the lieu and an injunction restraining the defendants from collecting, receiving, assigning, transferring or selling such rents, issues and profits. The application is based upon the papers in this foreclosure and upon an adidavt stading that pallitifier lieu is for over \$5,100, on the building and to 311 Definitely street, in this city, for work done thereon under the carety between the plantiffs and the owner, Feter Seebald; that Seebald is still the owner and taxes the rents, lastes and profits; that the premises a secondary particular to the property of the concentration of the profit in the foreign the rents but neglecting to pay the interest on price mortanges, and the electrosure of one such norgage for \$1,000 in the first but neglecting to pay the interest on price mortanges, and the figuration in purpose to collect the sum of the property of the prop

S. 679.) Has the lienor a right to or in the property covered by the lien so as to entitie him to its possession and the rents or to have the Court take possession of it and take the rents for the properties. I under the Machaniez Lien act of Texas, which declares the lien half possess the properties of a mortage, the courts of Texas hold that it gives no right to possession more to rests. (Frait vs. Tudor, 14 Tex. &, 41.) and the lien nor to rests. (Frait vs. Tudor, 14 Tex. &, 41.) and the lien possession in the property of another until possession. But this is property the nature of a lien upon cattello niv. On real estate liens are not necessarily connected with possession any more than they are dependent upon it, and such are legal and equitable mortages, not overdue, and judgments, all being merely charged date upon the land. In equity the word lien is used to declare a charge or encumbrance merely, where there is no false, and the time itself. (Willard's £6, £2); Honck on Liens, scale of the lien upon any land of his dector for his debt until he had prosecuted it to judgment, and so acquired ments or each and prosecuted it to judgment, and so acquired ments or each and prosecuted it to judgment, and so acquired protection impossible that the Lepislature interposed for his protection impossible that the Lepislature interposed for his protection impossible that the Lepislature interposed for his or the law to be to give the methanic a preference over the subsequent assignces and henors, and not or give him assignces and henors, and not or give him assignces and henors, and not to give him assignces and henors, and not to give him assignces and henors, and not to give him assignces and henors, and not or give him assignces and henors, and not one it to give him assignces and henors, and not one it of give him assignces and henors, and not or give him assignces and henors, and not to give him assignces and henors, and not to give him assignces and henors, and heaving his himself but an equitable one. Such an D. M. Porter for the motion, Jacob A. Gross op-

## COURT OF COMMON PLEAS-SPECIAL TERM.

Decisions. By Judge Larremore.

Dingeevs Jordon.—Motion granted. Carl Seutz vs. Magdaten Seutz.—Reference or-

Rapalje vs. Beebe .- Motion to dismiss plaintiff's complaint denied.

Rapage vs. Beebs.—Plaintiff's motion for reference

Nelly Russell vs. Frank Russell.—Reference or-

icred. Cassidy vs. Gouraud.—Motion denied. Frank A. Mason vs. Eca Mason.—Reference or Martin vs. Wallace-Motion dented.

### MARINE COURT-PART 2 Decisions.

By Judge Alker. Sloman vs. Haveland,-Judgment for plaintiff for \$951 20 and costs and twenty-five dollars allowance, Michaelis vs. Morgan .- Judgment for plaintiff for \$464 and costs and twenty-five dollars allowance.

Know vs. Ruch.—Judgment for plaintif for \$503 33
and costs and twenty-five dollars allowance.

Wacmser vs. Harris.—Judgment for plaintiff for \$102 26 costs and twenty-five dollars allowance.

Crow vs. Murray.—Judgment for plaintiff for \$250 and costs and twenty-five dollars allowance.

Reser vs. Murray.—Judgment for plaintiff for \$445 and costs and twenty-five dollars allowance.

## SURROGATE'S COURT.

The Bonard Will Case. Before Surrogate Hutchings.

The examination of this case was resumed yester day. The first witness called was Frederick Mor-He testified that he was a subscribing witness to the will; was present when the instru ment was signed; Mr. Bonard, while at St. Luke's Hospital, sent for witness, and witness went to see him: Mr. Bonard then told him that he would like to see him and Mr. Bergh; on the next day Mr. Bergh witness and Mr. Boyd, a lawyer, called on Mr Bonard, and at his request the will was made; it was read to Mr. Bonard, and he signed it; Mr. Bonard remarked at the time that he had previously made a will in which he had left \$60,050 to a Mr. Jones, and

will in which he had left \$60,000 to a Mr. Jones, and he wanted to change that will.

THE TRANSHIGRATION OF SOULS.
Cross-examined—Had a talk with Mr. Bonard about his religious views; did not know what he believed in.

Question—Did he believe in metempsychosis?
The witness did not seem to understand this question, but when it was explained to him he replied in the negative.
The question had reference, as will be seen, to the Pythagorean theory of the transmigration of souls into animals, and the counsel seemed to lay stress on the fact, as if it might have had some influence on the testator in making provision for the care and protection of horses. Mr. Bonard, however, is known to have died a Catholic.
The case was then adjourned.

## COURT OF GENERAL SESSIONS. Before Recorder Hackett,

LOTTERY POLICY DEALERS IN COURT. The first case called by Colonel Fellows yesterday was an indictment against Frederick E. Luthy. jointly indicted with John M. Lohr and Eugene Koehler, charged with gambling. Before the defendants pleaded their counsel interposed the objection that the nature of the lottery must be set out in the indictment. The Court overruled the oblection, after which a plea of not guilty was recorded tion, after which a plea of not guilty was recorded and the jury sworn. The only witness examined was John Dayton, who said he was the complainant. He stated that on the 25th of October, 1870, he went into the office 240 Greenwich street, of which Luthy told him that he was the proprietor, and purchased a paper purporting to be a policy wicket. It was bought from the defendant Koenier for which he paid \$3.50; it contained three numbers, which it appeared from the description given by the witness of the policy game turned out to be a lucky ticket, entitling him to \$187.50. Luthy was standing by a policy writer when the ticket was bought. In the afternoon Dayton, learning by the drawing that he had made a "hit," proceeded to Luthy's office and handed him the lucky ticket; the defendant fore a corner off and threw it on the floor, remarking, "You are entitled to twenty-one dollars eighty-seven cents." Dayton claimed that he had won a "straight gig," which was worth \$100, and four "cross gigs," which would enture him to \$57.50. Luthy said, "I shall only pay you for a 'cross gig."

The complainant was cross-examined at great length, and said that since he had been in New York, for eighteen months, he occasionally played policy, coming from Providence, where he had been an agent for a number of inventions. He said he understood that the two tickets he bought were on the Kentucky and Alabama public lotteries, which were advertised, and that he knew nothing of a private lottery.

Eugene Koehler, a co-defendant, was called by the defence, but the District Attorney objected to his being sworn. The Recorder, after argument, was inclined to overrine the objection, but for the present sustained it, and refused to allow the witness to be examined.

Connsel for Luthy then moved that the Court instruct the jury to acquit on the ground of variance between the proof and the indictment, it alleging that the ticket was a document in the nature of a bet upon the drawn numeers of a private lottery, whereas the complainant distinctly and the jury sworn. The only witness examined

tween the proof and the indictment, and, according to his instruction, the jury pronounced such a verdict.

His Honor then directed the complainant to go before the Grand Jury at once, and later in the afternoon teep brought in an amended bill, upon which the defendants were arraigned and pleaded not guilty. Mr. Fellows announced that the case would be positively tried on Monday.

Discharge of the Grand inquest announced that they had finished all the business brought oe fore them, and were accordingly discharged with the thanks of the Court.

PLEADED GUILTY.

James McGuire, who was jointly indicted with James Smith, pleaded guilty to an attempt at burglary in the third degree. The warchouse of Benjamin S. Weeks, 77 and 79 Beach Street, was broken into and twenty four cakes of copper, worth \$750, stolen. The prisoner was remanded for sentence.

Charles Wisson, who was charged with steaning a roll of carpet worth sixty-live dollars, on the 22d of May, the property of Thomas C. Doremus, was acquitted, the evidence being insufficient to sustain the charge.

BURGLARY IN A BROADWAY SHOE STORE.

Edward Jackson was tried and convicted of burglary in the third degree, he having on the 29th of June, with a confederate, broke Into the shoe store of Gustav Z. Burgraff, corner of Broadway and Forty-fifth street, when \$500 worth of goods were stolen. The prisoner had escaped arrest till a month ago, when the complainant, who was a juror in this court, recognized Jackson, he being summoned as a witness for the people in a certain case. The prisoner claimed that thus was a case of mistaken identity, and said he was employed on a pilot boot.

On motion the sentence was postponed till Friday.

road an uncertain one yesterday morning, when he was brought up with a round turn to answer a charge of pretended official dignity. The blows invited by the conduct of the mate. The men complainant, Mrs. Cehne Martin, a tall and stately matron, robed in violet, with a profusion of gaudy jewelry and flounced and furbelowed from head to oot, was the first upon the rostrum. Madame Celine is a French woman, although, perhaps, her name may suggest another nationality. Be

Celine is a French woman, although, perhaps, her name may suggest another nationality. Besides being a French woman she conducts a mansion in West Twenty-sixth street in a decidely French manner. She was accompanied into court by a number of other French women, who reside in Twenty-sixth street in a house of strong repute. The youngest of

These Feminine Free Lances
was somewhat the gandlest of the lot. In a spirit of emulation worthy of a better object, she had copied the adoraments of the robust Madame Celine, and loaded her intile person with excessive finery. The business in hand was to support a charge against Raphael Gordon of naving come to tac house and endeavered to extort money from the proprietress under pretence of being

A CAPTAIN OF POLICE.

The landlady stated that he had called at her residence and demanded some clothing belonging to a woman who had just removed to another place of abode. They knew nothing about the finery, and Raphael, seeing he was not likely to get any satisfaction, put in the story of the police to strengthen his care, and told them he would have the house pulled in the morning if she did not come down with the stamps.

Kitty Galhooley, another young lady from one of the French dependences, corroporated the story of the mistress. Kitty made some alitision to the husband of the complainant waite she was gaving her testimony that made the gentie Raphael sm ie and over his face and up to his cars. One could almost see the tun of the thing sparking all over his person.

Josephine Dubois was the next arrow shot from the bow of the offended matron. Josephine could not speak English, but she seems to thrive magnificently among this English-speaking commenty; for she is in splendid condition, and wears her avoirdupois with an air that pretends to say,

"This sendy friend of mine, he were gifted for a moment with a touch of clairvoyance. He evidently has a taste for the law, has a finest all requestions to the witness. He conducted his own case. Unfortunately for him, however, and pe

chemises."

"This 'lady friend of mine' is highly respectable."

The Judge interrupted the interesting story—

"What! and hying in a house like this!"

"Well, I mean to say that she is highly connected."

"Keep to the case."

"Well, I am going to."

"You are charged with personating a policeman.
Did you do it:"

"I don't remember. This 'lady friend of mine'

Did you do it?"
"I don't remember. This 'lady friend of mine' didn't like to go down to the house herself and asked me to go. I went first to the station house to see the captain, but he was not visible. I then spoke to the

POLICEMAN ON THE EEAT, and told him about the loss of the goods, he advised rue to go into the house and speak about it, and I went. I told the madam about this affair, but she me to go into the house and speak about it, and I went. I told the madam about this ariar, but she wouldn't give me any satisfaction. I went back again to my 'hady friend,' and she said, as she couldn't get the things, she would be satisfied to take a recompense. I went back again to the madam and entered the house through the basement. I found the servant zirl in the kitchen crying. I tried to console her, but she wouldn't be comforted. The madam then came down stairs and gave me a coupe of glasses of liquor. I was thinking about 'my lady friend.' "This refrain was evicently thresome to every one, and the Judge again broke in, "We've heard enough about her. Did you com-

'my lady friend.'" This refrain was evineally tiresome to every one, and the Judge again broke in, "We've heard enough about her. Did you commit the oftence you are charged with?"

"I don't remember; i might have threatened to bring in the police. I went to see the captain."

The Captain rose in his seat and said:—"Your Honor, he is right about the policeman to this extent: He asked the man on the beat to wait in front of the house until he came out, but when he found THE RUSE OF THE CAPTAIN

wouldn't work he told the women that he had the house surrounded by policemen and brought them to the window and showed them the officer standing outside. This irightened the life out of them."

"That's enough; two months in the Penitentiary."

And Raphael was walked off. As he went he remarked to his escort, "I can stand that like a lark."

Wanted Some Blacksmith's tools.

Charley Meyer was rewarded with four months for stealing a set of locksmith's tools belonging to a man he had been worting for. Connsel made a motion for dismissal on the ground of amonguity in the wording of the warrant. It read "on or about" when it should have been precise as to the date. The motion was denied, and Mr. Meyer went for his gold medal.

Mary Delebanty complained in a purely knew to

medal.

A LIVELY DOMESTIC CIRCLE.

Mary Delehanty complained in a purely lrish intonation that she had received the frightful punishment her figure-head exhibited at the hands, or rather hand, as he possessed but one, of Daniel, her

DANNY DENIED

the allegation, and stated in reply that when he came home on the day of the occurrence he discovered a little family scrimmage going on. His wile and sister and mother were

EAYPULLY POUNDING

each other's caputs in a general manner, and he merely stepped in, being a member of the household, and took a hand in. The first thing that came along was the old woman's phiz, and Danny dustuily went for that. Plates, sancers, wash bowls and milk cans flying through the air made the scene a lively one for some time. The venerable lady's

PEEPERS WERE POLISHED, It is true, and her tempte opened, but the other heroic women of the Deichanty race were similarly adorned, and as it was all in the family, why—
"You may go,"
"Thank ye'r Honor." And Daniel went with

"Thank ye'r Honor." And Daniel well was alacrity.

THE RESULT OF A "LITTLE BUST."

A young lady, tanged in the chocolate shade, put in a pica of guilty in self-defence in a ringing tone. She had pummented the dark visage of Margaret Parker in a moment of forgetfulness, and now stood arraigned for her inisconduct. She, too, had "a lady friend," and they went on a little "bust" together. One month.

# COURT CALENDARS-THIS DAY.

93.

MARINE COURT—TRIAL TERM—Part 1—Held by Judge Curtls.—Nos. 5602, 6030, 6055, 6033, 6380, 6781, 6159, 6167, 6168, 6159, 6160, 6161, 6162, 6163, 617, 6168, 6169, 6160, 6161, 6162, 6163, 617, 6182, 6181, 6182, 6183, 6181, 6182, 6181, 6182, 6181, 6182, 6181, 6182, 6181, 6182, 6181, 6182, 6184, 6465, Large vs. Baker, 6747, 6105, 6654, 9479, 6788, 6789, 6790.

## THE MURDER OF THE CAPTAIN OF THE J. L. BOWEN.

The Examination for the Defence-Motion to Dismiss the Complaint Desied.

Yesterday the further examination of the seamen James Thomas, Thomas Roach and Michael Antoine who were charged with mutiny and revolt on board the ship J. L. Bowen, was resumed before Commissioner Davenport.

Mr. Purdy appeared for the government and Mr.

MOTION TO DISMISS THE COMPLAINT. Mr. Waite, for the defendants, moved to dismiss

Robert N. Waite for the defence.

of May, the property of Thomas C. Doremus, was acquitted, the evidence being insufficient to sustain the charge.

BURGLARY IN A BROADWAY SHOE STORE. Edward Jackson was tried and convicted of burglary in the third degree, he having on the 20th of June, with a confederate, broke late the shoe store of Gustav Z. Burgraff, corner of Broadway and Forty-fifth street, when \$500 worth of goods were stolen. The prisoner had escaped arrest till a month ago, when the complainant, who was a juror in this court, recognized Jackson, he being summoned as a witness for the people in a certain case. The prisoner claimed that thus was a case of mistaken identity, and said he was employed on a pilot boat.

On motion the sentence was postponed till Friday.

COURT OF SPECIAL SESSIONS.

Assuming Office—An Adventurer in a Queer Postition—Hunting for Wardrobe—A Lively Domestic Circle—The Gent With the Lady Friend.

Various and uncertain are the crooked ways of that class of industrious individuals who travel in the footsteps of Jeremy Diddler to scrape out an existence. Mr. Raphael Gordon found his

blows invited by the conduct of the mate. The men were not aggressors.

Mr. Purdy contended, in reply, that there was enough to show that the men intended to revolt. Words used by the mate, however profane or fifthy they may have been, did not justify the men in rising against the officers. It was not claimed that any of the men received any blows before the revolt commenced. There was no doubt that an ofence had been committed by the men. The fact that the captain was killed was batent, and if not killed by one of these men, who killed him?

The Commissioner denied the motion to dismiss, and the further hearing of the case was then adjourned.

### THE LANAHAN TRIAL.

Meeting of the Book Committee-Prelimingries Arranged-The Press Admitted.

The Methodist Book Committee met yesterday, according to adjournment, to investigate charges preferred against Dr. Lanahan by the agent of the Book Concern, Dr. Cariton. These charges, in brief, are:—Dr. Lanahan's court proceedings against the Concern and its agent, already sufficiently made public; his arrogation of author-ity which neither the discipline, the General to him, and his disregard and contempt of the authority of the Book Committee and of the large portions of the books of account of the Con-cern and carrying the same away from the establishpretended results of examination of the books by accountants to be printed secretly, without the knowledge of the agent or any conference with him, and his circulation of the same, and his threatened further legal proceedings if his unjust and illegal demands are not compiled with, together with his persistent and unfounded attacks upon the good haine and credit of the Concern. On these charges Dr. Carton demanded a trial of his associate, alleging that under present circumstances he could not hold his position nor attend to the business of the Concern as it required. Upon these charges, therefore, the committee two weeks ago suspended Dr. Lanahan and fixed his trial for June 16. Every member of the committee two weeks ago suspended Dr. Lanahan and fixed his trial for June 16. Every member of the committee, except General Moore, was present, but only one of the effective bishops, James, was on hand, the committee organized promptly, but Dr. Lanahan was not quite rearly and asked for a postponement until this intorning, which was, of course, allowed. The committee meantime busined itself with other artairs of the Concern and discussed the propriety of reducing the price of its several publications and poliodicals. Later on in the alternoon the preliminaries and rules for conducting the case were adopted, and by these it was arranged that the issue at the outset should be met upon the charges herewith given. But if Dr. Lanahan shall still insist upon his former contress against the book Concern ne may force a trial of the whole case from the beginning, and in such an event it is difficult to guess how long the trail may continue. Three of the bishops who were present at the former trial will, it is expected, be present today. But Bishop Simpson is condined to his home and bed by sickness and cannot be with them. A resolution was adopted granting admission to all duly authenticated representatives of the press who may apply and the hour of opening was fixed at ten A. M. and his circulation of the same, and his threatened

## THE INDIANS.

Favorable Report from General Canby Concerning the Oregon Indians-Contracts for Indian Supplies.

An official letter from General Camby referred by the War Department to the Secretary of the Interior for his information, gives some gratifying information in regard to the Nez Perces and other Indians in Washington Territory, to the number of about six thousand, under the supervision of troops at Fort Lapwai. Returning to Portland, Oregon, from a visit to the above region, the General reports these Indians as peaceable and friendly, atthough many of them are called disaffected, be cause they relused to become parties to treaties and accept annuaties and aliotments on reservations. They are generally of an iule, vagrant class, but, a few are industrious and cultivate small farms. The disposition of the emigrants in this section towards the Indians is very good, and the commanding officer at Lapwai informed the General that the settlers are very withing to co-operate with the authorities in breaking up the winskey trade, from which alone trouble with indians is apprenended; but it is beheved that sufficient precautions will be taken to prevent the introduction of whiskey in the future.

At the indian sureau to-day, bids were opened for the supply of some twenty-seven infilions of pounds of beef on the hoof at the various reservations during the next discal year. There were ninety bias, at prices ranging from \$1.05 to \$6.95 per 100 pounds. A large number of bidders were present from all parts of the country. The fields were opened in the presence of George H. Stuart. John V. Francis and Vincent Colyer, of the Indian Commission, and Colonel Cox and J. S. Delano representing the Secretary of the Interior. but a few are industrious and cultivate

Brenking Up the Indian Trade in Arms and Ammunition-Active Campaign to be Commenced Against the Apaches.

Sr. Louis, Mo., June 15, 1871. borders of Texas state that a sconting party of roops south of Fort Bascomb captured a strong party, consisting of ten Mexicans and one Indian with twenty loads of ammunition, arms, &c., which the troops destroyed. The next day the troops cap-

the troops destroyed. The next day the troops captured 500 head of cattle stolen from Texas and
traded off to the Mexicans.

A letter from Leasburg, New Mexico, says General
Gordon Granger, who recently assumed command of
this military district, has determined to solve the
Indian question within the limits of his juri sitction
with the ride and revolver, and as evidence that ne
means business he has ordered all his available force
to report to General Thomas C. Levin, at a point
west of the Rio Grande, in Grant county, who will
direct operations against the Apaches.

# NEW YORK AND THE VICE PRESIDENCY.

[From the Utica Observer, June 14.]

Five men from the State of New York have filled the Vice President's chair. The first of these was colonel Aaron Burr, who was elected on the ticket with Thomas Jefferson in the year 1800. The ladies used to gaze down upon him from the galieries of the Senate and listen with rapt attention to the music of his voice, which was free from all nasal flavor. He was an unprincipled fel ow within, and while pretending to support the President was really seeking the highest place for himself. He had a rival in this State in the person of Alexander Hamilton. Just before another Presidential canvass came around Burr killed his rival and after that he fell into disceptite.

Our next Vice President was George Clinton, who served during Jefferson's second term and through

ten into disrepute.

Our next Vice President was George Clinton, who served during Jefferson's second term and through part of Madison's first term. He ded in office, it was the first Governor of our State and was a true-nearted, pure-minded democrat.

The third New Yorker who was elevated to the Vice Presidency was Governor Daniel D. Tompkins. He was a high-toned man and gave elegant enter-tainments to his triends. He served from 1817 to 1825, and died just before the expiration of his second term. He was versed in all the meeties of eliquette and invariably dressel with exquisite taste. It was not these characteristics, however, which made him Vice President. He was blessed with a beculiarly even temper, and he never flow with a beculiarly even temper, and he never flow with a first of ungovernable passion. He had small feet and a broad mind.

New York's fourth Vice President was Martin Van Buren. "Truss not his stature made him greaf, but greatness of his name." He filled successively the positions of Umited States Senator, Governor of the State of New York, Secretary of State in Jackson's Cabinet, Minister to Engla d, Vice President and President. He was a very politic man and he always used to lift his hat to voters after an election.

Our litth Vice President, the hast who held the office, was Milard Fillmore, of Builaio, Mr. Fillmore, of Builaio, Mr. Fillmore, of Builaio, Mr. When he was cleeted in 1845, on the toxet with General Taylor, an irreverent etizen of Builaio laid a wager that old "Rough and acady" would die before the expiration of his term and that Fill-

with General Taylor, an irreverent clizen of Sinfalo haid a wager that old "Rough and leasty" would die before the expiration of his term and that Fillmore would succeed to the Presadency. When he won this singular wager he expressed no surprise, but simply said that "it was in Keeping with Fillmore's higger mek." We do not know to what peculiar mutations of fortune the Ethiopian is subject, but the tone of the remark would indicate that Mr. Fillmore had received rewards beyond his deserts.

deserts.
in addition to the five Vice Presidents named in addition to the five Vice Presidents named above we have had severat candidates for the odice who were defeated at the polit. In 1894 Ratus king, of New York, was the anti-democratic candidate for Vice President. He received only fourteen electoral votes. He was again a candidate in 1895 and again deleated. In 1894 Nathan Santori, of this State, received thirty electoral votes for Vice President. In 1826 Francis Granger, of New York, was the Whige candidate, and was baddy beaten. We developed ho more incapable aspirants for the office until 1864, when John Cochrane was named by a fittle convention out at Cleveland, Ohto, for the Vice Presidency, the ran until about a month before the election, when he lost his wind and retired from the field.

NEW YORK TURNERS IN ROCHESTER .- The Turn New York Terners in Rochester.—the Turners of our city have just oven notified that a party of their New York brethren was spend the an of July with them, and our German community will accordingly be freshed to one of these testivities that Germans love to arrange when they meet together. The party are to visit the Falls, after being entertained here and giving a specimen of their powers.—Rochester Union, June 15